

REGULAR MEETING OF THE BOARD OF COMMISSIONERS
CITY OF FRANKFORT, KENTUCKY

OCTOBER 18, 2004
5:00 P.M. (EST)

PRESENT: Commissioner Lynn Bowers
Commissioner Andrew S. Layson
Commissioner Robert Roach
Commissioner Chuck Fletcher
Mayor William I. May, Jr. (5)
ABSENT: None (0)

Invocation was given by Rev. Jana Hall, First Presbyterian Church.

It was moved by Commissioner Bowers, seconded by Commissioner Fletcher, that the reading of the minutes of September 20, 2004 Regular Meeting, October 4, 2004 Work Session and October 11, 2004 Special Meeting be dispensed with and approved. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Layson, Roach, Fletcher and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

Mayor's Report:

- October is Breast Cancer Awareness Month.

Mayor May recognized Darrell Gilliam of Capital Community Economic Industrial Development Authority, who is retiring October 31, 2004, for his service as the Authority's Executive Director. Mr. Gilliam introduced Phillip A. Kerrick who will become the Authority's executive director on November 1, 2004.

YMCA Board Member Ann Dix Maenza read letter to Board of Commissioners reaffirming the Y's commitment to work with the City and County Governments for a new recreation, wellness and aquatic center.

"AN ORDINANCE FIXING THE RATE OF TAXATION FOR THE YEAR OF 2004 ON ALL TANGIBLE PROPERTY SUBJECT TO TAX, TRUST AND INSURANCE COMPANIES, PUBLIC SERVICE COMPANIES AND LEVYING SAID TAX FOR ALL CITY PURPOSES" was presented and read. This ordinance had its first reading September 20, 2004. It was moved by Commissioner Bowers, seconded by Commissioner Fletcher, that this ordinance be put upon its final adoption. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Layson, Roach, Fletcher and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted. (Ordinance No. 18, 2004 Series)

"AN ORDINANCE PERMITTING TEMPORARY OFF-SITE SALE OR DISPLAY EVENTS OF MOTOR VEHICLES BY MOTOR VEHICLE DEALERS" was presented and read. This ordinance had its first reading September 20, 2004. It was moved by Commissioner Bowers, seconded by Commissioner Fletcher, that this ordinance be put upon its final adoption. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Layson, Roach, Fletcher and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted. (Ordinance No. 19, 2004 Series)

"AN ORDINANCE CREATING THE POSITION OF EMS SHIFT SUPERVISOR" was presented and read. This ordinance had its first reading September 20, 2004. It was moved by Commissioner Bowers, seconded by Commissioner Fletcher, that this ordinance be put upon its final adoption. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Layson, Fletcher and Mayor May (4). Voting against the motion was Commissioner Roach (1). The motion was thereupon adopted. (Ordinance No. 20, 2004 Series)

"AN ORDINANCE ACCEPTING TURNBERRY DRIVE AS A PUBLIC STREET" was presented and read.

"AN ORDINANCE ACCEPTING BRIGHTON COURT AS A PUBLIC STREET" was presented and read.

"AN ORDER RELATING TO THE PROBLEM RESOLUTION COMPLAINT OF MICHAEL R. FITZPATRICK" was presented and read in its entirety. It was moved by Commissioner Roach, seconded by Commissioner Fletcher, that this order be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Layson, Roach, Fletcher and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted. (Order No. 26, 2004 Series)

"RESOLUTION OF AUTHORITY FOR THE CITY OF FRANKFORT AUTHORIZING A LEGALLY BINDING AGREEMENT BY AND BETWEEN FRANKLIN COUNTY FISCAL COURT, CITY OF FRANKFORT, CAPITAL COMMUNITY ECONOMIC INDUSTRIAL DEVELOPMENT AUTHORITY, AND FRANKFORT YMCA FOR INDUSTRIAL PARK DAY CARE CENTER" was presented. It was moved by Commissioner Layson, seconded by Commissioner Bowers, that this resolution be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Layson, Roach, Fletcher and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted. (Resolution No. 7, 2004 Series)

"RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF FRANKFORT, KENTUCKY RELATING TO THE CREATION OF THE FRANKFORT/FRANKLIN COUNTY CHARTER GOVERNMENT" was presented and read in its entirety. It was moved by Commissioner Roach, seconded by Commissioner Fletcher, that this resolution be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Layson, Roach, Fletcher and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted. (Resolution No. 8, 2004 Series)

The following miscellaneous and personnel items were presented:

- 6.1 Authorization to reject bids received for storage building, two bids having been received, both of which far exceeded the funds budgeted for the project (Fire Department);
- 6.2 Authorization to award contract to FMSM Engineers to provide coordinated Geographic Information Systems (GIS) support to Sewer Department and Department of Planning and Building Codes, primary users, and to other departments within the city government as needed, according to schedule of fees submitted with proposal; total cost of contract not to exceed \$50,000, with funding available in various accounts of each department (Sewer, Planning and Building Codes);
- 6.3 Authorization to declare vehicles and various pieces of equipment from all City departments as surplus and authorize disposal by electronic auction through eBay web site to begin on November 1, 2004; eBay web site having been recommended by Kentucky Division of Surplus Property due to its providing access to a large volume of bidders (Purchasing);
- 6.4 Personnel:
 - Retirement of Ted W. Evans, Chief of Police, effective December 31, 2004, and authorize payment of accrued leave, 336 hours vacation, 100 hours holiday, and 40 hours compensatory (Police Department);
 - Appointment of Dan Allen to position of Firefighter effective October 19, 2004 (Fire Department);
 - Appointment of Mark King and Charles Spencer to position of Maintenance Worker effective October 19, 2004 (Public Works);
 - Appointment of Michael D. Ingle to position of Telecommunicator effective October 19, 2004 (Communications);
 - Appointment of Cynthia M. Perry to position of Office Assistant effective October 19, 2004 (Planning and Building Codes);
 - Promotion of Thomas J. Gaines to position of Collection System Maintenance I from Collection System Laborer, and Christy Pratt to position of Plant Operator II from Plant Operator I, both to become effective October 19, 2004 (Sewer Department);
 - Promotion of Quincy Thurman to position of Equipment Operator I from Maintenance Worker effective October 19, 2004 (Public Works);
 - Resignation of Greg Miley, Collection System Maintenance I, effective September 30, 2004, and authorize payment of 49.5 hours accrued vacation leave;

It was moved by Commissioner Bowers, seconded by Commissioner Layson, that all of the above listed miscellaneous and personnel items be approved. All members being present and no objection having been filed with the City Clerk, the motion was thereupon adopted by general consent.

Police Chief was recognized by Commissioners Bowers and Roach and Mayor May for his service to the City.

Commissioner Roach requested letter of recommendations for traffic improvements received from Downtown Frankfort, Inc. be added to November 1 work session for discussion.

Public Works Director discussed the 2004 leaf collection schedule for city residents.

It was moved by Commissioner Roach, seconded by Commissioner Bowers, that direction be given to the City Manager to move forward with a search for a new police chief. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Layson, Roach, Fletcher and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

It was moved by Commissioner Fletcher, seconded by Commissioner Roach, that the Board meet in closed session in accordance with KRS 61.810 (1), (c), to discuss pending litigation. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Layson, Roach, Fletcher and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted

MAYOR

ATTEST:

CITY CLERK